

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

APPLETON PAPERS INC. and	)	Bond No. 285044664
NCR CORPORATION,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 08-CV-00016-WCG
	)	
GEORGE A. WHITING PAPER COMPANY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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NCR CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08-CV-895-WCG
	)	
KIMBERLY-CLARK CORPORATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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**SUPERSEDEAS BOND**

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On June 27, 2013, the Court entered the Amended Judgment (Dkt. No. 1505), which adjudicates all claims with respect to all parties in this matter. On June 28, 2013, NCR Corporation ("NCR") filed its Notice of Appeal to the United States Court of Appeals for the Seventh Circuit. (Dkt. No. 1506.)

NCR, as the Principal of this Supersedeas Bond, and Liberty Mutual Insurance Company, as the Surety of this Supersedeas Bond, are held and firmly bound unto the following Defendants for the specified amounts:

- Georgia-Pacific Consumer Products LP (f/k/a Fort James Operating Company), Fort James Corporation and Georgia-Pacific LLC, collectively, for \$70,804,912.00, plus 15%, for a total of \$81,425,648.80. (*See* Dkt. 1505 ¶ 6.)
- CBC Coating, Inc. for \$116,593.70, plus 15%, for a total of \$134,082.76. (*See id.* ¶ 7.)
- Neenah-Menasha Sewerage Commission for \$37,041.53, plus 15%, for a total of \$42,597.76. (*See id.* ¶ 8.)
- WTM I Company for \$750,000.00, plus 15%, for a total of \$862,500.00. (*See id.* ¶ 9.)
- P.H. Glatfelter Company for \$4,283,114.13, plus 15%, for a total of \$4,925,581.25. (*See id.* ¶ 10.)

Thus, the Principal and Surety, as well as their respective successors, assigns and representatives, are held and firmly bound, jointly and severally, unto the Defendants, as specified above, for the aggregate sum of \$87,390,910.56, which includes \$500 to cover costs.

The condition of this Supersedeas Bond is that:

1. If the Amended Judgment appealed by the Principal is affirmed, in whole or in part, and if the Principal shall fully comply with all of the monetary judgments specified in the Amended Judgment, to the extent affirmed, and if the Principal shall fully satisfy any obligations for costs as may be taxed against it by either this court or the United States Court of Appeals for the Seventh Circuit, then this Supersedeas Bond shall be null and void; or

2. If the Amended Judgment is reversed, vacated or otherwise set aside, such that the Principal is no longer obligated to pay the monetary judgments specified in the Amended Judgment, then this Supersedeas Bond shall be null and void.

Otherwise, this Supersedeas Bond shall remain in full force and effect unless and until the Principal and the Surety are released from liability by this court or the United States Court of Appeals for the Seventh Circuit. In no event, however, shall the aggregate liability of the Principal or the Surety under this Supersedeas Bond exceed the sum of **\$87,390,910.56**.

Signed on this 5<sup>th</sup> day of July, 2013.



**PRINCIPAL:**

NCR CORPORATION

Name:   
John Boudreau

Title: Treasurer

Address:  
3097 Satellite Blvd. NW  
Duluth, GA 30096

**SURETY:**

LIBERTY MUTUAL INSURANCE COMPANY

Name:   
Christopher P. Troha

Title: Attorney-in-Fact

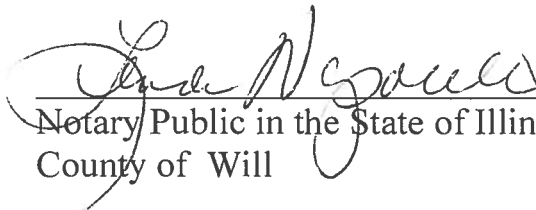
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Boston, MA 02116

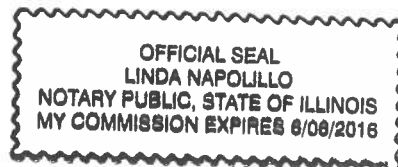
ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS  
COUNTY OF Will

On this 5th day of July, 2013, before me, Linda Napolillo, a Notary Public, within and for said County and State, personally appeared Christopher P. Troha to me personally known to be the Attorney-in-Fact of and for Liberty Mutual Insurance Company acknowledged that he executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public in the State of Illinois  
County of Will





**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 5601070

American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Liberty Mutual Insurance Company  
Peerless Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Christopher P. Troha; Linda M. Napolillo; Marcia K. Cesafsky; Michelle Krebs; Triniy R. Garcia

all of the city of Chicago, state of IL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 9th day of October, 2012.



American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
Peerless Insurance Company  
West American Insurance Company

By: Gregory W. Davenport  
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss  
COUNTY OF KING

On this 9th day of October, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley  
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorney-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of July, 2013.



By: David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.